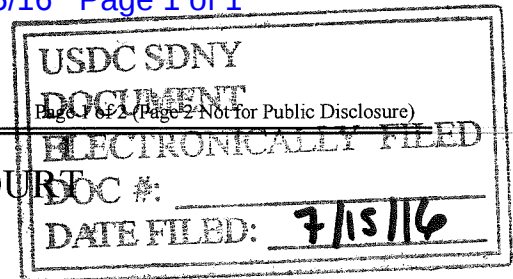


AO 247 (Rev. 11/11) Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)



UNITED STATES DISTRICT COURT
for the
Southern District of New York

United States of America
v.
HECTOR CARTAGENA

Case No: 11-CR-267-01 (DAB)

USM No: 64445-054

Date of Original Judgment: 11/09/2011

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

(Complete Parts I and II of Page 2 when motion is granted)

Defendant is ineligible for this reduction because the Defendant's Base Offense Level was calculated based on his status as a Career Offender pursuant to section 4B1.1 of the Sentencing Guidelines, rather than the drug quantity attributed to him. Thus, the changes to section 2D1.1 do not affect the calculation of his Guidelines Range.

Except as otherwise provided, all provisions of the judgment dated 11/09/2011 shall remain in effect.

IT IS SO ORDERED.

Order Date

7/14/16

Deborah A. Batts
Judge's signature

Effective Date:

(if different from order date)

Deborah A. Batts, U.S. District Judge

Printed name and title